

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

In re

Theresa M. Sowinski,
Lawyer (Bar No. 32549).

Supreme Court No.

WSBA File Nos. 06-00910, 06-
01056, 06-01259

ASSOCIATION'S PETITION
FOR INTERIM SUSPENSION
UNDER ELC 7.2(a)(3)

Under Rule 7.2(a)(3) of the Rules for Enforcement of Lawyer Conduct (ELC), the Washington State Bar Association (Association) petitions this Court for an Order of Interim Suspension of Respondent Theresa M. Sowinski pending cooperation with disciplinary investigations.

This Petition is based on the Declaration of Disciplinary Counsel Marsha Matsumoto, filed with this Petition.

I. STATEMENT OF GROUNDS/ARGUMENT

1. Respondent Theresa M. Sowinski failed to respond to grievances filed with the Association by Robin Knutson (WSBA File No. 06-00910) and Monte Junker (WSBA File No. 06-01056).

2. The Association issued a subpoena duces tecum under ELC 5.3(f)(1) requiring Respondent to appear at a deposition on August 30, 2006. Respondent was personally served with the subpoena on August 18, 2006.

3. Respondent failed to appear at the deposition and failed to produce any records in response to the subpoena.

4. Respondent has not contacted the Association since failing to appear for the deposition and has not provided any response to the Knutson or Junker grievances.

5. Respondent also failed to respond to a grievance filed with the Association by Kathryn Harrison (WSBA File No. 06-01259).

6. It is necessary to obtain Respondent's response and records so that the Association can determine whether Respondent has violated the Rules of Professional Conduct. By refusing to cooperate with the grievance investigations, Respondent has impeded and delayed the disciplinary process. Accordingly, the Association asks this Court to order

Respondent's immediate interim suspension pending compliance with the Association's investigations.

II. STANDARD

Under ELC 7.2(a)(3), a respondent lawyer may be immediately suspended from the practice of law when a lawyer fails without good cause to comply with a request from the Association for information or documents or fails without good cause to comply with a subpoena.¹ Respondent's failure to comply with the Association's requests for information and failure to comply with the subpoena duces tecum meets this standard.

III. EFFECT OF RESPONDENT'S FAILURE TO COOPERATE

The lawyer discipline system provides "protection of the public and preservation of confidence in the legal system." In re Disciplinary Proceeding Against McMurray, 99 Wn.2d 920, 930, 655 P.2d 1352 (1983). Given the limited resources available to investigate allegations of

¹ ELC 7.2(a)(3) provides:

Failure to Cooperate with Investigation. When any lawyer fails without good cause to comply with a request under rule 5.3(f) for information or documents, or with a subpoena issued under rule 5.3(f), or fails to comply with disability proceedings as specified in rule 8.2(d), disciplinary counsel may petition the Court for an order suspending the lawyer pending compliance with the request or subpoena. If the lawyer complies with the request or subpoena, the lawyer may petition the Court to terminate the suspension on terms the Court deems appropriate.

lawyer misconduct, “such investigations depend upon the cooperation of attorneys.” Id. at 931.

“Compliance with these rules is vital.” In re Disciplinary Proceeding Against Clark, 99 Wn.2d 702, 707, 663 P.2d 1339 (1983).

Because Respondent has not responded to the grievances, has not appeared for her deposition, and has not produced any records in response to the subpoena duces tecum, the Association’s effective and timely investigation of the grievances and protection of the public has been impeded and delayed.

IV. CONCLUSION

Respondent’s failure to cooperate with disciplinary investigations is an ongoing violation of ELC 5.3. Accordingly, the Association asks the Court to issue an order to show cause under ELC 7.2(a)(3) requiring Respondent to appear before the Court on such date as the Chief Justice may set, and show cause why this petition for interim suspension should

not be granted.

DATED THIS 19th day of October, 2006.

Respectfully submitted,

WASHINGTON STATE BAR ASSOCIATION



Marsha Matsumoto, Bar No. 15831
Senior Disciplinary Counsel
2101 Fourth Avenue – Suite 400
Seattle, WA 98121-2330
(206) 727-8233

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DISCIPLINARY COUNSEL
DECLARATION

I, Marsha Matsumoto, declare and state:

1. I am the disciplinary counsel assigned to the disciplinary proceedings against respondent lawyer, Theresa M. Sowinski. This statement is submitted in support of the Petition for Interim Suspension filed by the Washington State Bar Association (Association).

2. On May 31, 2006, Robin Knutson filed a grievance with the Association alleging that Respondent misappropriated more than \$250,000 in client funds. Attached as Exhibit A is a true and correct copy of Ms. Knutson's grievance, without attachments.

3. On June 6, 2006, the Association sent Respondent a copy of Ms. Knutson's grievance and requested Respondent's written response. Respondent did not respond. Attached as Exhibit B is a true and correct copy of the Association's June 6, 2006 letter to Respondent.

4. On July 11, 2006 and July 26, 2006, the Association sent letters to Respondent's business and home addresses, respectively, and

requested her response to Ms. Knutson's grievance within ten days or the Association would schedule Respondent's deposition. The letters were mailed by certified mail, but were returned to the Association unclaimed. Attached as Exhibit C are true and correct copies of the Association's July 11, 2006 and July 26, 2006 letters to Respondent.

5. On June 23, 2006, Monte Junker filed a grievance with the Association alleging that Respondent failed to provide diligent representation, failed to respond to requests for information, and failed to deliver his client file. Attached as Exhibit D is a true and correct copy of Dr. Junker's grievance.

6. On June 29, 2006, the Association sent a copy of Dr. Junker's grievance to Respondent and requested her written response. Respondent did not respond. Attached as Exhibit E is a true and correct copy of the Association's June 29, 2006 letter to Respondent.

7. On August 2, 2006, the Association sent a letter to Respondent requesting her response to Dr. Junker's grievance within ten days or the Association would schedule Respondent's deposition. The letter was mailed by certified mail to Respondent's business address, but was returned to the Association unclaimed. Attached as Exhibit F is a true and correct copy of the Association's August 2, 2006 letter to Respondent.

8. During an August 4, 2006 telephone conversation, Respondent informed disciplinary counsel that she no longer occupied her business address and that she had a new home address in Kingston.

9. At Respondent's request, the Association faxed copies of the Knutson and Junker grievances and related correspondence on August 4, 2005. Respondent did not respond.

10. On August 17, 2006, the Association issued a subpoena duces tecum requiring Respondent to appear for an August 30, 2006 deposition and to produce records. Attached as Exhibit G are true and correct copies of the subpoena duces tecum and the Association's August 17, 2006 letter to Respondent.

11. Respondent was personally served with the subpoena duces tecum on August 18, 2006. Attached as Exhibit H is a true and correct copy of the Declaration of Service.

12. Respondent failed to appear at the deposition and failed to produce any records in response to the subpoena. Attached as Exhibit I is a true and correct copy of the transcript of the deposition.

13. On August 31, 2006, the Association sent Respondent a letter, by certified and first class mail, reminding Respondent that based on her failure to cooperate, the Association may petition the Court for Respondent's interim suspension. The letter asked Respondent to contact

disciplinary counsel right away. The letter sent by certified mail was returned unclaimed. The letter sent by first class mail was not returned to the Association. Attached as Exhibit J is a true and correct copy of the Association's August 31, 2006 letter to Respondent.

14. Respondent did not contact the Association or respond to the Knutson or the Junker grievances.

15. On August 11, 2006, Kathryn Harrison filed a grievance with the Association alleging that Respondent failed to perform any work after receiving a \$1,000 "non-refundable" fee, failed to respond to requests for information, and failed to refund unearned fees. Attached as Exhibit K is a true and correct copy of Ms. Harrison's grievance.

16. On August 15, 2006, the Association sent a copy of Ms. Harrison's grievance to Respondent and requested her written response. Respondent did not respond. Attached as Exhibit L is a true and correct copy of the Association's August 15, 2006 letter to Respondent.

17. On September 19, 2006, the Association sent a letter to Respondent requesting her response to Ms. Harrison's grievance within ten days or the Association would schedule Respondent's deposition. The letter was mailed by certified mail to Respondent's address of record, but was returned to the Association unclaimed. Attached as Exhibit M is a

true and correct copy of the Association's September 19, 2006 letter to Respondent.

18. On October 4, 2006, the Association issued a subpoena duces tecum requiring Respondent to appear for a non-cooperation deposition and to produce records. The Association attempted to have the subpoena personally served on Respondent; however, the process server discovered movers at Respondent's address and was unable to find Respondent.

19. On or about October 10, 2006, disciplinary counsel spoke with Snohomish County Deputy Prosecuting Attorney Kathy Jo Kristof. Based on that conversation, it is disciplinary counsel's understanding that Respondent is currently being held in the Snohomish County Jail following Respondent's arrest on a warrant issued in State v. Sowinski, Snohomish County Cause No. 06-1-01385-3.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

10/19/06 Seattle WA
Date & Place

Marsha Matsumoto
Marsha Matsumoto, Bar No. 15831
Senior Disciplinary Counsel

EXHIBIT A

GRIEVANCE AGAINST A LAWYER



RECEIVED

Return your completed form to:

Office of Disciplinary Counsel
Washington State Bar Association
2101 Fourth Ave - Suite 400
Seattle, WA 98121-2330

MAY 31 2006

WSBA OFFICE OF
DISCIPLINARY COUNSEL

GENERAL INSTRUCTIONS

- Read our information sheet *Lawyer Discipline in Washington* before you complete this form, particularly the section about waiving confidentiality.
- Type or write legibly but do not use the back of any page.
- Do not fax your form to us or send your form to us via the Internet.
- If you have a disability or need assistance with filing a grievance, call us at (206) 727-8207. We will take reasonable steps to accommodate you.

INFORMATION ABOUT YOU

Knutson Robin
Last Name, First Name

17523 36th Ave. W.
Address

Edmonds WA 98037
City, State, and Zip Code

(206) 784-3394 / (425) 745-2470
Telephone Number (Day/Evening)

INFORMATION ABOUT THE LAWYER

Sowinski, Theresa
Last Name, First Name

51 West Dayton Suite 102
Address

Edmonds WA 98020
City, State, and Zip Code

(425) 778-8306 / cell 206 383-5179
Telephone Number

Alternate address/phone where we can reach you

INFORMATION ABOUT YOUR GRIEVANCE

Describe **your** relationship to the lawyer who is the subject of your grievance by checking the box that best describes you:

- ☒ Client
☐ Former Client
☐ Opposing Party

- ☐ Opposing Counsel
☐ Judicial
☐ Other: _____

Is there a court case related to your grievance? _____ YES _____ NO
If yes, what is the case name and file number, and who is the lawyer representing you?

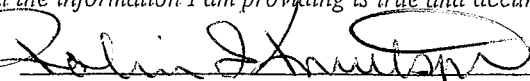
Explain your grievance in your own words. Give all important dates, times, places, and court file numbers. Attach additional pages, if necessary. Attach copies (not your originals) of any relevant documents.

Please see attached document

AFFIRMATION

I affirm that the information I am providing is true and accurate to the best of my knowledge.

Signature:



Date:

5/30/2006

About December of 2004 or January of 2005 I called my niece Tammy Mair (address 2213 169th Ave N. Bellevue WA 98008 Telephone number (425) 746-3836 Cell (206) 355-6513) for help in obtaining legal advice in sale of my home located at 641 N.W. Market Seattle WA 98107 as well as the adjoining lot next to the house. She suggested that her childhood friend Ms. Theresa M. Sowinski of Equity Law Group PLLC (than located at 152 Third Ave. S. Suite 101 Edmonds WA 98020) would be a known attorney and trusted resource in handling this. Ms. Sowinski agreed to handle my case.

At the time I had been considering selling the properties to Rockwinn Homes LLC. After several months and during a phone call from Ms Sowinski in April or May of 2005 Ms Sowinski convinced me that a private sale to Rockwinn would be unwise. My other buyer one Mickelas Kohary would be a better choice as well as the highest bidder. Even though I already had a buyer Ms. Sowinski insisted that she was too busy to handle the sale and that it would cost me more money if she handled the sale than her friend realtor Steve Koon of Windermere stevekoon@windermere.com. She stated the Mr. Koon was an expert in distressed properties. I asked her to wait 48 hours before she contacted Mr. Koon because I would rather speak to my potential buyer Mr. Kohary myself or have my personal friend Robert Junglov (751 Walnut St Edmonds WA 98020 (425) 771-6895 robj@windermere.com whom I had already spoken to and contacted about the sale of my properties and is also of Windermere Real estate handle the sale, if indeed a real-estate agent where needed. She ignored my instructions and did not wait 48 hours as I instructed and contacted Mr. Koon anyway. As Ms. Sowinski is my legal counsel and the property was in danger of foreclose and Mr. Koon per Ms. Sowinski's statement was an expert in distressed properties I felt I had no other choice but to go forward with Mr. Koon handling the sale.

Mr. Koon was to earn 3% of the sale of the properties, when I said to Ms. Sowinski "3% of \$550,000.00 is \$16,500.00 are you telling me that Mr. Koon is getting \$16,500.00 for a phone call?" "And that you (Ms Sowinski) would charge me more than that?" I felt that she was unaware of the real cost of Mr. Koon's help, but time was of the essence so again I felt I had no other choice but to listen to my legal counsel. I entered into no other agreement with Mr. Koon. I state this because I have some concern as to what Ms. Sowinski may have agreed to on my behalf with Mr. Koon. The reason I feel concern is on several occasions including lately at a luncheon in March 06 with my other niece (Tammy Mair's older sister) Kris Osborn (318 50th St SW Everett WA 98203 Telephone (425) 257-9055)

Ms. Sowinski told me that Mr. Koon from Windermere had called her office again asking when I would need his services in locating a house to buy. In June 05 after my home on Market St closed and after having a meeting, E-mails as well as phone calls with Mr. Koon I felt uncomfortable with him and no longer wished to pursue any future dealings with him. I have told that to Ms Sowinski on several occasions and also reminded her that I had no legal agreement binding me to purchase a house from Mr. Koon.

My house was to close the end of May, I believe it was to be the 23rd when I went to Golf Escrow I noticed that the HUD was not properly drawn up, the problem being that my home sat on 2 lots and the total cost of each was to be \$275,000.00. Ms. Sowinski told me that it would be best to handle it that way because of tax reasons rather than a lump sum so I requested that, that be corrected. I found out in July that, that was not done and E-mailed both Ms Sowinski and Mr. Koon to correct this problem that was also a debacle. (See E-mails attached Exhibit A and A cont, 6/23/2005, Exhibit B 7/01/2005, Exhibit C 7/6/2005)

My house on 641 Market St was to close the end of May 05, 48 hours before the sale of my properties was to close my property on 641 N.W. Market was foreclosed on by Chase Home Finance, LLC Loan number 1517079528 because of this, the sale was delayed putting the sale in jeopardy causing additional costs and emotional distress to me.

My question that has never been answered to me by Ms Sowinski or Mr. Koon did anyone instruct Golf Escrow Corp. (6502 218th Street SW Suite 4 Mountlake Terrace WA 98043 Telephone (425) 771-3772) to contact Chase and inform them that there was money in Escrow for the purchase of my property and that there was a signed deal on the table and the closing date of the sale? If so, why did Chase go forward with the foreclosure? Causing yet more credit injury to me and stress and making it necessary for Ms. Sowinski, as she stated to "wrestle my property out of foreclosure" and "to get a payoff number from them."

The sale of my property did close on June 1, 2005. The few days before the closing Ms. Sowinski sent my niece Tammy Mair (Tammy was working for free for Ms Sowinski to help her, as well as to cut my expenses down owing to Ms. Sowinski) to my home with some papers to sign, the one I refused to sign was the agreement to put my remaining money from the sale of my home into a Trust Account with Equity Law Group. The next day Ms. Sowinski personally came to my home with the agreement papers to put my money into the trust. Her reasons where that I owed outstanding money to 3 credit card company's (Bank of America, Sears, and J.C. Penny Co.) the total was about \$21,000.00. She stated that "if you do not do this they will see the money of the sale of your property and attach your account and all of the money" that scared me. She also stated that by having the money in the trust account she could negotiate the amount down that I owed the credit card companies and she there for could save me money, and with the money she saved me cover her fee. So I agreed to put my money into a Trust Account (see attached doc Exhibit D, wire transfer amount of \$357,101.12 and Exhibit E, part of a deposit slip with the account number from US Bank on it and in Ms. Sowinski's hand writing "Trust Equity for Knutson") for me until all my personal debts as well as my credit card debts were paid.

On June 3rd I E-mailed her a list with address of my friends that I owed money to and wished to be paid immediately. (See attached E-mail Exhibit F and F cont). Paying these people turned out to be a debacle and cost me some valued friendships. I have copies (see attached copies Exhibit G) of checks that Ms. Sowinski initialed 6/8/2005 (with the exception of Mr. Junglove's) saying that they where mailed from her office located at 152 3rd Ave S. STE 101 Edmonds WA 98020 however these checks never arrived to there destinations. I was first told that the receptionist never mailed them out. I was later told that they got lost in the mail. All I know is that my friends started to call me asking for their money. So I when contradicted Ms. Sowinski about this problem she said she would need to void those checks and reissue them. I have copies of those new checks issued 6/30/2005 (see attached copies Exhibit H)

In regards to the money I owed Robert Junglove, Rob called me saying he had not received his money. I than called Ms. Sowinski to find out what happened to Rob's check. Ms Sowinski told me that she had taken the check to Rob's house located at (751 Walnut St Edmonds WA 98020) and left it in the mailbox. I couldn't believe she had not put the check in his hand or sent it registered mail. I later found out from Rob that he had moved to a new home. So as far as I know Ms. Sowinski put a stop payment on that check. And Rob had to go to Ms Sowinski's office and pick up his money per Ms Sowinski's initialed on 6/27/05 (see attached Copy Exhibit I)

In July 05 I was called by my cousin Joelynn Schroeder (165 W. San Remo St, Gilbert AZ 85234 Telephone 480-545-7239) she told me that she had not received the check of the money I owed to her. I called Ms. Sowinski asking what had happed to the check. She said she didn't know and that it had not come back in the mail at that time, so I asked her to put a stop pay on that check. I found later out in March 06 that was never done. In August 05 I wrote Joelynn a check out my personal account to satisfy the debt. In March 06 Ms. Sowinski told me that she recently found the check that was cut to my cousin Joelynn in a box of mail that she received in December 05 from her former office location at 152 3rd Ave S. The new location of Equity Law Group is Edmonds Bay Building 51 West Dayton Suite 102 Edmonds WA 98020 Telephone (425) 778-8306 Cell (206) 383-5179

June 7, 2005 I sent my niece an E-mail asking how much money I had in total, as well as how much the "3 debtor's took" (my credit cards) at that time Ms. Sowinski stated in the E-mail (see attached E-mail Exhibit J) that she was still negotiating with them.

On 6/29/2005 I sent an E-mail to Ms. Sowinski asking when she would pay off my creditors expressing my wish to have them paid off. She responded with an E-mail 6/30/05. (see attached E-mail Exhibit K)

On 7/8/05 (See attached E-mail Exhibit L) about the correcting the HUD problems.

Also on 7/8/05 about creditors calling and not being paid yet from me, I received what I thought was a rather strange E-mail from Ms. Sowinski. in return.
(See attached E-mail Exhibit M)

October 6, 2005 a letter (See attached Letter, Exhibit N) from Ms. Sowinski that say's the HUD problem is corrected, as well as an (See accounting of Trust, Exhibit O) accounting of my trust account a few things disturbed me.

The first being 6/1/05 a check cut to Equity Law Group business Account of \$10,000.00. I was never informed of this payment of this payment at that time to Equity Lay Group. The only billing I have ever received from Ms. Sowinski is dated 5/16/05 stating that the balance due is \$7,442.50 (see attached 8 page statement, Exhibit P) the other issues that disturbed me being the charges of the stop payments on the checks that Ms. Sowinski's office lost track of. And check 1047 to my cousin Joelynn Schroeder that she never received from Ms Sowinski's office. That was finally located by Ms. Sowinski in March 06 as I was told by Ms Sowinski. I have no idea if that money was put back in my account or accounted for. This is also the only accounting dated 10/6/2005 (See accounting of Trust, Exhibit O) I have ever received of my trust account from Ms. Sowinski.

October 13, 2005 received a letter (See attached letter Exhibit Q) and copies of a fax and check (See 5 page Exhibit R) from Ms. Sowinski stating that my debt to Bank of America now being handle by Boudreau & Associates had been paid and satisfied. I found out later in March 06 from Ms Sowinski that she had delayed this payment so long that she had to go to court on this matter 10 days after she paid the debt because Boudeau & Associates failed to inform their attorney of payment.

I called than asked Ms. Sowinski about Sears and J.C Penny she told me she was working on it. I requested that they be paid as soon as possible as I wanted to clear my credit and begin the process of looking for a new home.

I received a letter from Phillips and Cohen Associates (handling the Sears debt) requesting payment I copied and sent the original letter to Ms. Sowinski requesting again that she pay them. (See letter received from P & C attached Exhibit S)

It was also about this time that I received a phone call from Ms. Sowinski about investing the money in my trust account with Burk Capital Management Inc. (51 West Dayton Suite 305 Edmonds WA 98020 Telephone 425 640-2525) Ms. Sowinski also sent me a brochure and other information about this. I told Ms. Sowinski that I was NOT interested in any way of investing my money in that. That I wanted to buy a home to live in and invest in that only.

October 28, 2005 I receive a letter from Northland Group Inc with a settlement offer for J.C. Penny so in frustration with Ms. Sowinski for not resolving the matter. I wrote them a check out of my personal account and paid them. (See attached letter and copy of my check 3 pages Exhibit T) November 9th 2005 I receive a letter from Northland saying that they consider the matter paid and satisfied. (See attached letter Exhibit U)

November 8, 2005 I receive a letter (See attached letter Exhibit V) and a copy of a fax to Phillips & Cohen (See attached 2 page fax Exhibit W) stating that Equity Law Group was representing me in regards to the Sears debt.

In November I received a check from Ms. Sowinski that was from Golf Escrow Corp dated 6/21/2005 I was told that it is was overlooked in my file at Ms. Sowinski's office. Since the check was more than 60 days old as well as being signed by only one signer, the check requiring two signatures. I called Ms. Sowinski's office about this and said I would handle it my self but was told that Ms. Sowinski's office would take care of their error.

I sent the check back to Ms. Sowinski requesting that they correct their error in the matter of this check. December 2nd (See attached letter Exhibit X and attached copies sent to Golf Escrow 3 pages Exhibit Y) I received a letter that states the check was returned to Golf Escrow for correction. I did receive a corrected check from Golf Escrow December 7th 2005.

December 5th 2005 I received another request for payment for the Sears debt this time from Protocol Recovery Service Inc. I again copied the letter sent the original to Ms. Sowinski requesting that this debt be paid. (See copy of letter from P. R.S. Inc Exhibit Z)

January 12, 2006 I received another request for payment for the Sears debt I again copied the letter sent to original to Ms. Sowinski. I also sent another letter asking why this debt had not been paid off? I requested again that it be paid off. I wrote in that letter (see attached letter, Exhibit 2-A and letter from P.R.S. Inc Exhibit 2-B) that I would like to move the balance of my money from the trust account to my personal bank account and finally close this matter once and for all.

I called Ms Sowinski's office February 14th 2006 and again requested that my finances be moved from Equity Law Group trust account to my personal account. I reminded Ms Sowinski that tax time was coming and I needed to get everything resolved in order to get my taxes done. I received a letter dated February 15th 2006 (see attached letter Exhibit 2-C) acknowledging my call and request from Ms. Sowinski's office. The letter saying she would be happy to assist me in moving my funds. I called and stated that depositing it in to my personal account that she had deposited in the past small amount's of money would be fine and to do so immediately. That was never done.

Because Ms Sowinski's repeated excuse for not transferring my money to me was of the last debt yet not paid I E-mailed Ms. Sowinski's office again asking that the trust money be deposited in to my personal account with the exception of \$8,000.00 for the Sears debt, I received a return E-mail from Ms. Sowinski's office (see attached E-mail Exhibit 2-D) stateing that Ms. Sowinski would take care of this matter. That was never done.

It was about the 12th of March that I had lunch with Ms. Sowinski and my niece Kris Osborn. During this lunch I asked Ms. Sowinski when the last debtor (Sears) would be paid. She stated to me all my debts had been paid off as of October 05. I was surprised and dismayed to hear that. I asked her if my debts had been paid in October of 05 why had I not received any notice of this and why had I not received my trust fund money. Her answer to me at was that she was very busy and needed help in her office and when my niece Tammy Mair returned from vacation she would (Ms. Sowinski) finish the matter and I would have my money in a week. Ms. Sowinski stated to me that for safety reasons she would rather have me pick up a cashers check from her at her office for the balance of my money rather than wire transfer it in to my personal account.

4/17/2006 I E-mailed (see attached E-mail Exhibit 2-E) Ms. Sowinski's office again asking how my case was progressing.

4/20/2006 I E-mailed both Ms. Sowinski's office and my niece Tammy Mair expressing my unhappiness with the situation and requesting that it be resolved and a date given as to when I could pick up my check.(See attached E-mail Exhibit 2-G)

4/28/2006 I E-mailed my niece Tammy Mair informing her that if Ms. Sowinski did not transfer my money to me I would have no other recourse but to take legal action as well as filing a complaint to the bar association, in hopes that Tammy could motivate her friend Ms. Sowinski in the resolution of this matter. (See attached E-mail Exhibit 2-H)

On 5/4/2006 I took a vacation to Arizona before I left I spoke with Ms. Sowinski as well as my niece requesting that after my return on 5/11/2006 that my money be ready to pick up on 5/14/2006 thinking that this would be enough time to resolve the matter. (See E-mail Exhibit 2-J) stating I that I was available to pick up my money any time that day.

5/16/2006 I wrote an E-mail asking why I had not heard from anyone about my money. 5/16/2006 I received an E-mail from Tammy Mair (see attached E-mail Exhibit 2-K) saying she had spoken to Theresa (Ms Sowinski) in person about this and that Ms Sowinski had told her that she was going to complete the matter that day and the day after.

5/17/2006 I received E-mail from Ms Sowinski (see attached E-mail Exhibit 2-L) that her goal was to have everything wrapped up and closed out by Friday May 19th 2006. On 5/17/2006 I E-mail as well as called requesting that because of Ms Sowinski's delay's and my concern of my personal expenses that I wanted her to transfer \$5,000.00 to my personal account that day, or that I would be more than happy to pick up a check that evening any time. (See attached E-mail Exhibit 2-M)

On 5/19/2006 Janet M. Lindsay of Ms. Sowinski's office called at my home and spoke to my roommate Glenn Tuttle (17523 36th Ave W. Lynwood WA 98037 Telephone 425 745-2470 Cell (206) 228-2364) Janet stated that Ms. Sowinski instructed her to call and let me know that she had transferred the requested \$5,000.00. No money was deposited into my account.

On Monday May 22nd 2006 Ms Sowinski called me and told me she had forgotten to transfer the \$5,000.00 but would do so right way that day. I also asked her again when would she be finished with my case and account. She said she would have the paper work finished the next day Tuesday May 23rd and that she would go to the Bank on Wednesday 24th 2006 and sign the necessary papers to transfer my trust account to me. No money was deposited in my account on Monday as promised by Ms. Sowinski. I called and spoke to Ms. Sowinski at 9.30am On Tuesday May 23rd saying that no money had been deposited in my account and when was Ms. Sowinski going to do so. She told me that she was on the phone with my niece Tammy Mair and that she (Ms. Sowinski) was going to go to the bank right away and take care of that deposit. No money was deposited in my personal account that day or since by Ms. Sowinski.

I called 3 more times that day and left messages for Ms Sowinski asking that she take care of this issue I was only able to speak to an answering machine.

I also E-mailed her questioning why none of this was taken care of as well as her promise to transfer my entire trust fund to me by Wednesday May 24th.

I have called every day since and have left messages, but now no live person answers the phone at Equity Law Group, or Cell phone. I have not received any money as well as have no idea if my remaining debt to Sears has ever been paid. I have not had a return phone call or correspondence from Ms Sowinski's office. I'm now deeply concerned about all of this and the lack of follow thru by Ms. Sowinski.

On Friday May 26th I went to see the Edmonds Police Department who requested I make a statement in writing of this problem. I have also contacted the Bar Association and they too have requested a written statement.

On Sunday May 28, 2006 I raid a credit report on myself, I now know that the Sears debt was not been paid off as Ms. Sowinski stated to me as well as my niece Tammy Mair was paid. (See attached credit report Exhibit 2-N)

I want to state that I do not believe that my niece Tammy Mair is involved in anyway of wrongdoing in the matter. She has been supportive of me and also has made many efforts on my behalf in attempting to get cooperation from her friend Ms Sowinski's in her responsibilities as my attorney.

I affirm the information I am providing is
Signed *Robin D. [Signature]* Date *7/30/2006*
True and accurate to the best of my knowledge

EXHIBIT B



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Acknowledgment That We Have Received A Grievance

Date: 6/6/2006 WSBA File: 06-00910

To the Grievant:

We received your grievance against a lawyer and opened a file with the file number indicated above.

We are requesting a written response from the lawyer. You generally have a right to receive a copy of any response submitted by the lawyer. After we review the lawyer's response, if it appears that the conduct you describe is not within our jurisdiction, does not violate the Supreme Court's Rules of Professional Conduct (RPC), or does not warrant further investigation, we will write you a letter to tell you that. If we begin an investigation of your grievance, we will give you our investigator's name and telephone number. If, as a result of an investigation and formal proceeding, the lawyer is found to have violated the RPC, either the Washington State Bar Association Disciplinary Board or the Supreme Court may sanction the lawyer.

Our authority and resources are limited. We are not a substitute for protecting your legal rights. We do not and cannot represent you in legal proceedings. You should consider contacting another lawyer to represent you in any ongoing civil or criminal case or to determine whether other remedies may be available to you. If you believe criminal laws have been broken, you should contact your local police department or prosecuting attorney. There are time deadlines for both civil and criminal proceedings, so you should not wait to take other action.

Please read the enclosed form for additional information about the grievance process. Our office handles a large number of files. We urge you to communicate with us only in writing until we complete our initial review of your grievance. You should hear from us again within four weeks.

Request for Lawyer Response

To the Lawyer:

Although we have reached no conclusions on the merits of the grievance that has been filed against you, we are requesting your preliminary written response within **two (2) weeks** of the date of this letter. Please provide any information you believe is relevant. You must personally assure that all records, files, and accounts related to the grievance are retained until you receive written authorization from us, or until this matter is concluded and all possible appeal periods have expired. Absent special circumstances, and unless you provide us with reasons to do otherwise, we will forward a copy of your response to the grievant. If the grievant is not your client, please clearly identify any information that you believe we should withhold. The grievance process is governed by the Rules for Enforcement of Lawyer Conduct (ELC). ELC 5.3(e), a copy of which is enclosed with related rules, sets out the obligations of a respondent lawyer, including the duty to promptly file a written response. If you believe further action should be deferred because of pending litigation, please so indicate and explain the basis for your request under ELC 5.3(c).

Sincerely,

Felice P. Congalton
Senior Disciplinary Counsel

Enclosures: Lawyer Discipline in Washington

Original: Grievant: Robin Knutson
cc: Lawyer: Theresa M. Sowinski
(with enclosure and copy of grievance)

EXHIBIT C



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Felice P. Congalton
Senior Disciplinary Counsel

July 11, 2006

Theresa M. Sowinski
Equity Law Group LLC
51 W Dayton St Ste 102
Edmonds, WA 98020-4111

Re: WSBA File: 06-00910
Grievance filed by Robin Knutson

Dear Ms. Sowinski:

We asked you to provide a written response to the above referenced grievance. To the best of our knowledge, your response, which is required by Rule 5.3(e) of the Rules for Enforcement of Lawyer Conduct (ELC), has not been received.

Under ELC 5.3(e), you must file a written response to the allegations of this grievance within ten days after service of this letter, i.e., on or before July 24, 2006. If we do not receive your response within the ten-day period, we will subpoena you for a deposition. If we must serve a subpoena, you will be liable for the costs of the deposition, including service of process, and attorney fees of \$500. ELC 5.3(f)(2). You should be aware that failing to respond is, in itself, grounds for discipline and may subject you to interim suspension under ELC 7.2(a)(3).


Sincerely,


Felice P. Congalton
Senior Disciplinary Counsel

cc: Robin Knutson

CERTIFICATE OF SERVICE

I CERTIFY THAT I CAUSED THE FOREGOING LETTER TO BE MAILED TO THE LAWYER NAMED ABOVE AT Equity Law Group LLC, 51 W Dayton St Ste 102, Edmonds, WA 98020-4111, CERTIFIED (RETURN RECEIPT NO. 7003 2260 0001 6609 7333) MAIL, POSTAGE PREPAID, ON JULY 11, 2006.


FELICE P. CONGALTON
SENIOR DISCIPLINARY COUNSEL

CERTIFIED MAIL™

ington State Bar Assoc
urth Avenue, Suite 400
WA 98121-2330

WA 982



7003 2260 0001 6609 7333

UNCLAIMED

11/2/04



ile As Addressed

ward

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Address

Refused

Known

Number

ile

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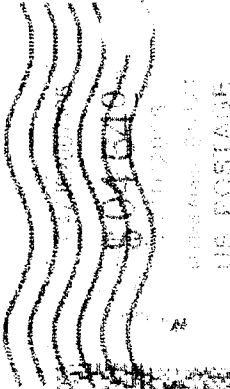
rd/r

r Address

7003 2260 0001 6609 7333
THERESA M SOWINSKI
EQUITY LAW GROUP LLC
51 W DAYTON ST STE 102
EDMONDS WA

1st NOTICE
2nd NOTICE
RETURNED

7/18
7/18



US POSTAGE

AUG 03 2004





WSBA
OFFICE OF DISCIPLINARY COUNSEL

Marsha Matsumoto
Disciplinary Counsel

direct line: 206-7727-8233
fax: 206-727-8325

July 26, 2006

CERTIFIED RETURN RECEIPT NO. 7003 2260 0001 6615 8461

Theresa M. Sowinski
Attorney at Law
745 Laurel St.
Edmonds, WA 98020-4027

Re: Grievance of Robin Knutson against Theresa M. Sowinski
WSBA File No. 06-00910

Dear Ms. Sowinski:

The above grievance has been assigned to me to complete the investigation. Please direct all future communications to me.

On July 11, 2006, we asked you to provide a written response to the above referenced grievance. To the best of my knowledge, your response, which is required by Rule 5.3(e) of the Rules for Enforcement of Lawyer Conduct (ELC), has not been received.

Under ELC 5.3(e), you must file a written response to the allegations of this grievance within ten days after service of this letter, i.e., on or before August 8, 2006. If we do not receive your response within the ten-day period, we will subpoena you for a deposition. If we must serve a subpoena, you will be liable for the costs of the deposition, including service of process, and attorney fees of \$500. ELC 5.3(f)(2).

You should be aware that failing to respond is, in itself, grounds for discipline and may subject you to interim suspension under ELC 7.2(a)(3).

Sincerely,

A handwritten signature in cursive script, reading "Marsha Matsumoto", is positioned above the typed name.

Marsha Matsumoto
Senior Disciplinary Counsel

cc: Robin Knutson

CERTIFICATE OF SERVICE

I certify that I caused the foregoing letter to be mailed to Theresa M. Sowinski, Respondent at 745 Laurel St, Edmonds, WA 98020-4027, Certified Mail, Postage Prepaid, on the 26 day of July, 2006.



Marsha Matsumoto
Senior Disciplinary Counsel



Washington State Bar
2101 Fourth Avenue, Suite 400
Seattle, WA 98121-2330

CERTIFIED MAIL™



7003 2260 0001 6615 8461



- ☐ Not Deliverable As Addressed
Unable To Forward
- ☐ Insufficient Address
- ☐ Mailed, Left No Address
- ☐ Officially ☐ Refused
- ☐ Attempted - Not Known
- ☐ Not Such Street ☐ Number
- ☐ Vacant ☐ Illegible
- ☐ No Mail Receptacle
- ☐ Box Closed - No Order
- ☐ Returned For Better Address
- ☐ Postage Due

UNCLAIMED

Illegible
THERESA M SOWINSKI
ATTORNEY AT LAW
745 LAUREL
EDMONDS V

980 L1 1 606 C
NOTIFY SENDER OF NEW ADDR
SOWINSKI
31 W DAYTON ST STE 102
EDMONDS WA 98020-4111
BC: 98020411127 *0426-

EXHIBIT D

North City Dental

Junker & Junker, D.D.S., P.S.
Monte C. Junker, D.D.S.
Barbara K. Junker, D.D.S.



17502 12th Avenue, N.E.
Shoreline, WA 98155
www.northcitydental.com
(206) 362-8088

RECEIVED
JUN 23 2006
WSBA OFFICE OF
DISCIPLINARY COUNSEL

June 20, 2006

Washington State Bar Association
2101 4th Ave.
4th Floor
Seattle, WA 98121

To Whom It May Concern:

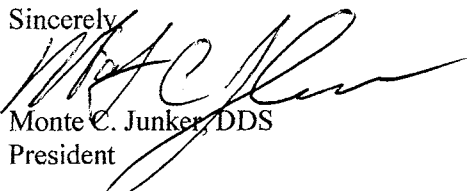
On October 10, 2005 my wife, Barbara K. Junker, DDS and I met with Ms. Teresa Sowinski, of Equity Law Group (Edmonds WA), to discuss an employment issue. During the meeting we signed a retainer document that described Ms. Sowinski's fees and policies (no copy was offered or received). We provided Ms. Sowinski an original of our Employee Manual, and an employee's personnel file. Ms. Sowinski stated that she would review our concern, the manual and employee file. Ms. Sowinski stated to us that she would require a couple of days to conduct research and would then write a letter for us to send to the employee. She stated that the letter would be ready by October 12 or 13, 2005. This letter has never been received. We called Ms. Sowinski on October 17, 2005, and October 19th, 2005 to inform her that the letter had not been received. One of her associates called our office on October 21, 2005 to inform us that he would drop the letter by our office on the afternoon of October 21, 2005. It was never received. We called her office that evening and left a message stating this. Ms. Sowinski called our home that evening and spoke with Dr. Barbara Junker to say that she needed to review one more case law and she would call us on October 24, 2005 at 1:05PM to discuss the issue. On October 24, 2005 we did not receive a call. Once again Dr. Barbara Junker called Ms Sowinski's office and was only to be able to leave a message. This phone call has yet to be returned.

Since that time we have contacted Ms. Sowinski's office, at least once every 6 to 8 weeks to request that she return our files. I always have been informed that she was unavailable and had to leave messages with her staff or on her voice mail. We have yet received the files. After 8 months of trying, we contacted our personal attorney and who wrote two letters, to Ms. Sowinski requesting that she return our files, and once again she has ignored our requests to return our materials. See attached letters from Mr. Lancaster.

I am therefore requesting that the Washington State Bar Association become involved in this matter. Ms Sowinski stated that she would provide us legal counsel and failed to do so. After repeated attempts to get our manual and employee file returned, we still do not have them in our possession. Our only goal is the return of our manual and employee file. The employment issue has resolved to success for both parties. Therefore, we no longer require the services of Ms. Sowinski.

If you have any questions or would like to speak to me please call me at (206) 850-6159.

Sincerely,


Monte C. Junker, DDS
President

CC: Mr. Brad Lancaster

Creating new smiles!
implant • preventive • aesthetic

LANCASTER
LAW OFFICE

Lancaster Law Office
Document Copied to Client

5-30-06

BRAD LANCASTER, ATTORNEY
KIM LANCASTER, PARALEGAL

9653 FIRDALE AVENUE
EDMONDS, WASHINGTON 98020

TELEPHONE: 206-542-2739

FACSIMILE: 206-533-0223

TOLL FREE: 1-888-837-6519

E-MAIL: BRAD.LANCASTER@VERIZON.NET
LANCASTERLAWOFFICE.COM

May 30, 2006

Theresa Michelle Sowinski
152 Third Ave. S., Suite 101
Edmonds WA 98020-3596

BY FACSIMILE AND EMAIL
By U. S. MAILS

RE: Return of Junker/North City Dental File and Original Materials

Dear Ms. Sowinski:

I represent Barbara and Monte Junker, who do business as North City Dental. Junkers have, for some months now, sought return of their original materials in your possession, but have not received them. Lately, they have placed many calls that are never returned.

I am sure you are encountering some obstacle you find sufficient to cause your extreme delay in responding to my clients' requests. Please set that matter aside, and deal with the pressing issue of Junkers' materials. Junkers are selling their practice, and those original materials constitute a part of their document production for the sale. Your failure to produce the documents may cause Junkers to fail to comply with their obligations in the sale process. If that happens, litigation may ensue. You may become a party.

I ask you to produce their file materials at my office on or before Friday, June 2, 2006, at noon. If you are having trouble transporting the documents, please call me and someone from my office will pick them up. If the materials are not at my office by the specified time, I shall refer the matter to the Washington State Bar Association, Disciplinary Counsel.

I thank you for your courtesies in this matter.

Respectfully,



Brad Lancaster

LANCASTER
LAW OFFICE

Fax

To: Theresa Sowinski

From: Brad Lancaster

Fax: 425-774-9842

Pages: 2 (including cover)

Phone: 425-778-8306

Date: 5/30/2006

Re: Junker Materials

Comments:

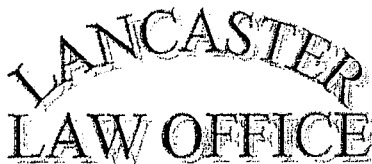
The documents that follow may be confidential and privileged. All these documents are intended only for the use of the recipient named above. If you have received this fax erroneously, please do not read the following pages. We ask you to call the Lancaster Law Office at 206-542-2739 immediately to inform us of the erroneously delivered fax. We will accept a collect call for this purpose if tolls are involved. Please return the faxed material by United States Postal Service mail to us, with a note stating your costs of making such a return. We will reimburse those costs. Thank you.

Please respect the privacy of our clients.

Brad Lancaster

From: Brad Lancaster [brad.lancaster@verizon.net]
Sent: Tuesday, May 30, 2006 2:46 PM
To: 'theresa.sowinski@equitylawgroup.com'
Subject: Junker/North City Dental Employment materials

Ms. Sowinski: Please review the attached letter. BRAD LANCASTER



Lancaster Law Office
Document Copied to Client

6-5-06

BRAD LANCASTER, ATTORNEY
KIM LANCASTER, PARALEGAL

9653 FIRDALE AVENUE
EDMONDS, WASHINGTON 98020

TELEPHONE: 206-542-2739

FACSIMILE: 206-533-0223

TOLL FREE: 1-888-837-6519

E-MAIL: BRAD.LANCASTER@VERIZON.NET

LANCASTERLAWOFFICE.COM

June 4, 2006

Theresa Michelle Sowinski
51 W. Dayton Street, Suite 102
Edmonds, WA 98020-4111

BY FACSIMILE AND EMAIL
BY U. S. MAILS

RE: SECOND NOTICE: Failure to Produce Junker File and Original Materials

Dear Ms. Sowinski:

I thank you for our conversation of May 31, 2006. I understood you to say that you did not do any work for Junkers and did not represent them. I further understood that you would return Junkers' file materials via my office no later than Friday, June 2, 2006.

I checked with my client. They assert that they signed a representation agreement with you, that you promised to draft a letter to their errant employee but failed to do so, and that you retained their original employment file pertaining to Audrey Norman. They have never received any communications from you, and have not received the two copies of their file you claim to have delivered to them.

I too did not receive the promised file materials by Friday, June 2, 2006. Please check your premises carefully. You are in possession of original materials relating to the employment of Audrey Norman which are most pertinent to the sale of Junkers' business. This matter is time critical. I ask you again to copy Junker's entire file to my office immediately, and to return their original employment file materials.

I do not know what the problem is here. For the moment, I am going to assume that the problems lie in miscommunication. Please put this matter at the top of your priority list.

I thank you for your courtesies in this matter.

Respectfully,


Brad Lancaster

LANCASTER
LAW OFFICE

Fax

To: Theresa Sowinski

From: Brad Lancaster

Fax: 425-774-9842

Pages: 2 (including cover)

Phone: 425-778-8306

Date: 6/4/2006

Re: 2nd Notice: Junker Materials

Comments:

The documents that follow may be confidential and privileged. All these documents are intended only for the use of the recipient named above. If you have received this fax erroneously, please do not read the following pages. We ask you to call the Lancaster Law Office at 206-542-2739 immediately to inform us of the erroneously delivered fax. We will accept a collect call for this purpose if tolls are involved. Please return the faxed material by United States Postal Service mail to us, with a note stating your costs of making such a return. We will reimburse those costs. Thank you.

Please respect the privacy of our clients.

Brad Lancaster

From: Brad Lancaster [brad.lancaster@verizon.net]

Sent: Sunday, June 04, 2006 6:14 AM

To: 'theresa.sowinski@equitylawgroup.com'

Subject: 2nd Notice re Junker Materials

Ms. Sowinski: Please see the attached letter. BRAD

6/4/2006

EXHIBIT E



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Acknowledgment That We Have Received A Grievance

Date: 6/29/2006 WSBA File: 06-01056

To the Grievant:

We received your grievance against a lawyer and opened a file with the file number indicated above.

We are requesting a written response from the lawyer. You generally have a right to receive a copy of any response submitted by the lawyer. After we review the lawyer's response, if it appears that the conduct you describe is not within our jurisdiction, does not violate the Supreme Court's Rules of Professional Conduct (RPC), or does not warrant further investigation, we will write you a letter to tell you that. If we begin an investigation of your grievance, we will give you our investigator's name and telephone number. If, as a result of an investigation and formal proceeding, the lawyer is found to have violated the RPC, either the Washington State Bar Association Disciplinary Board or the Supreme Court may sanction the lawyer.

Our authority and resources are limited. We are not a substitute for protecting your legal rights. We do not and cannot represent you in legal proceedings. You should consider contacting another lawyer to represent you in any ongoing civil or criminal case or to determine whether other remedies may be available to you. If you believe criminal laws have been broken, you should contact your local police department or prosecuting attorney. There are time deadlines for both civil and criminal proceedings, so you should not wait to take other action.

Please read the enclosed form for additional information about the grievance process. Our office handles a large number of files. We urge you to communicate with us only in writing until we complete our initial review of your grievance. You should hear from us again within four weeks.

Request for Lawyer Response

To the Lawyer:

Although we have reached no conclusions on the merits of the grievance that has been filed against you, we are requesting your preliminary written response within **two (2) weeks** of the date of this letter. Please provide any information you believe is relevant. You must personally assure that all records, files, and accounts related to the grievance are retained until you receive written authorization from us, or until this matter is concluded and all possible appeal periods have expired. Absent special circumstances, and unless you provide us with reasons to do otherwise, we will forward a copy of your response to the grievant. If the grievant is not your client, please clearly identify any information that you believe we should withhold. The grievance process is governed by the Rules for Enforcement of Lawyer Conduct (ELC). ELC 5.3(e), a copy of which is enclosed with related rules, sets out the obligations of a respondent lawyer, including the duty to promptly file a written response. If you believe further action should be deferred because of pending litigation, please so indicate and explain the basis for your request under ELC 5.3(c).

Sincerely,

Felice P. Congalton
Senior Disciplinary Counsel

Enclosures: Lawyer Discipline in Washington

Original: **Grievant: Monte Junker**

cc: **Lawyer: Theresa M. Sowinski**
(with enclosure and copy of grievance)

EXHIBIT F



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Felice P. Congalton
Senior Disciplinary Counsel

August 2, 2006

Theresa M. Sowinski
Equity Law Group LLC
51 W Dayton St Ste 102
Edmonds, WA 98020-4111

Re: WSBA File: 06-01056
Grievance filed by Monte Junker

Dear Ms. Sowinski:

We asked you to provide a written response to the above referenced grievance. To the best of our knowledge, your response, which is required by Rule 5.3(e) of the Rules for Enforcement of Lawyer Conduct (ELC), has not been received.

Under ELC 5.3(e), you must file a written response to the allegations of this grievance within ten days after service of this letter, i.e., on or before **August 15, 2006**. If we do not receive your response within the ten-day period, we will subpoena you for a deposition. If we must serve a subpoena, you will be liable for the costs of the deposition, including service of process, and attorney fees of \$500. ELC 5.3(f)(2). You should be aware that failing to respond is, in itself, grounds for discipline and may subject you to interim suspension under ELC 7.2(a)(3).

Sincerely,

Felice P. Congalton by MAM

Felice P. Congalton
Senior Disciplinary Counsel

cc: Monte Junker

CERTIFICATE OF SERVICE

I CERTIFY THAT I CAUSED THE FOREGOING LETTER TO BE MAILED TO THE LAWYER NAMED ABOVE AT Equity Law Group LLC, 51 W Dayton St Ste 102, Edmonds, WA 98020-4111, CERTIFIED (RETURN RECEIPT NO. 7003 2260 0001 6609 7135) MAIL, POSTAGE PREPAID, ON AUGUST 2, 2006.

Mark A. McIntosh

SENIOR DISCIPLINARY COUNSEL

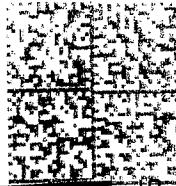
shington State Bar Assoc
1 Fourth Avenue, Suite 400
ttele, WA 98121-2330

CERTIFIED MAIL™



7003 2260 0001 6609 7135

04/01/2006
\$04.010
USPS Form 3800, 12/1/05
US POSTAGE



Not Deliverable As Addressed
Return to Forward
Insufficient Address
Addressed, Left No Address
Not Delivered
Not Delivered - Refused
Not Delivered - Not Known
Not Delivered - Incorrect Street
Not Delivered - Incorrect Number
Not Delivered - Incorrect City
Not Delivered - Incorrect State
Not Delivered - Incorrect Zip
Not Delivered - Other

THERESA M SOWINSKI
EQUITY LAW GROUP LLC
51 W DAYTON ST STE 102
EDMONDS WA

8/9
8/19 12th

UNCLAIMED

CONFIDENTIAL

EXHIBIT G



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Marsha Matsumoto
Senior Disciplinary Counsel

direct line: 206-727-8233
fax: 206-727-8325

August 17, 2006

HAND DELIVERED WITH SUBPOENA DUCES TECUM

Theresa M. Sowinski
Attorney at Law
20948 President Pt Rd NE
Kingston, WA 98346

Re: Grievances against lawyer Theresa M. Sowinski
WSBA File Nos. 06-00910, 06-01056

Dear Ms. Sowinski:

Enclosed is a subpoena duces tecum compelling your attendance at a deposition in accordance with Rules 5.5 and 5.3(f) of the Rules for Enforcement of Lawyer Conduct (ELC). The subpoena has been issued because of your failure or refusal to cooperate with these investigations. As you already have been informed, you will be liable for the costs associated with the deposition, including service of the subpoena, court reporter charges, and a \$500 attorney fee.

We wish to avoid any further delay in the completion of this investigation. Accordingly, we will not cancel or continue the deposition unless disciplinary counsel so confirms in writing. Absent a written confirmation of cancellation or continuance, your appearance at the deposition in our offices on August 30, 2006 at 9:30 a.m. is mandatory. If you fail to appear, we may treat your failure to appear as a violation of disciplinary rules, we may refer this grievance to Review Committee with a recommendation of a public disciplinary hearing without your response, and we may petition the Washington Supreme Court for your immediate interim suspension from the practice of law under ELC 7.2(a)(3).

Sincerely,

A handwritten signature in cursive script that reads "Marsha Matsumoto".

Marsha Matsumoto
Senior Disciplinary Counsel

Enclosure

1
2
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5
6 BEFORE THE
7 DISCIPLINARY BOARD
8 OF THE
9 WASHINGTON STATE BAR ASSOCIATION

10 In re

11 THERESA M. SOWINSKI,
12 Lawyer (WSBA No. 32549).

WSBA File No. 06-00910 & 06-01056

SUBPOENA DUCES TECUM

13 THE STATE OF WASHINGTON TO: THERESA M. SOWINSKI

14 YOU ARE HEREBY COMMANDED under Rules 5.5 and 5.3(f) of the Rules for
15 Enforcement of Lawyer Conduct (ELC) to be and appear at the Washington State Bar
16 Association offices, 2101 Fourth Avenue, Suite 400, Seattle, WA 98121, on August 30, 2006 at
17 9:30 a.m., to testify in investigatory proceedings being conducted by the Washington State Bar
18 Association.

19 YOU ARE FURTHER COMMANDED to bring the following with you at the above
20 time:

21 1. Your complete file and whatever documents may be in your possession or control
22 relating to your representation of Robin Knutson, and all financial records, including billing and
23 time records, invoices, trust account and client ledgers, check registers, canceled checks, deposit
24 documents, and bank statements relating to funds received and/or disbursed in connection with

1 your representation of Ms. Knutson.

2 2. Your complete file and whatever documents may be in your possession or control
3 relating to your representation of Monte Junker, and all financial records, including billing and
4 time records, invoices, trust account and client ledgers, check registers, canceled checks, deposit
5 documents, and bank statements relating to funds received and/or disbursed in connection with
6 your representation of Mr. Junker.

7 Dated this 17th day of August, 2006.

8 

9 Marsha Matsumoto, WSBA No. 15831
10 Senior Disciplinary Counsel
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EXHIBIT H

1
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6 BEFORE THE
7 DISCIPLINARY BOARD
8 OF THE
9 WASHINGTON STATE BAR ASSOCIATION

10 In re

11 THERESA M. SOWINSKI

12 Lawyer (Bar No. 32549).

WSBA No. 06-00910

DECLARATION OF SERVICE OF SUBPOENA
DUCES TECUM

13 1. I am over the age of eighteen years and am competent to testify if called as a witness in
14 these proceedings. I make the statements in this declaration from personal knowledge.

15 2. I am employed as an Investigator for the Office of Disciplinary Counsel, Washington State
16 Bar Association. I am not a party to and do not have a personal interest in the above-captioned matter.

17 3. On August 18, 2006, at approximately 3:45p.m., at 20948 President Point Rd NE,
18 Kingston, WA 98346, I served true and correct copies of Subpoena Duces Tecum and letter on Theresa
19 M. Sowinski personally.

20 I declare under penalty of perjury under the laws of the State of Washington that the
21 foregoing is true and correct.

22 August 23, 2006 Seattle, WA
23 Date and Place

24 
Scott O'Neal

EXHIBIT I

BEFORE THE DISCIPLINARY BOARD OF THE
WASHINGTON STATE BAR ASSOCIATION

In Re:)
) Bar No. 32549
THERESA M. SOWINSKI,)
) File #06-00910
Lawyer.)
)
)

Proposed Deposition Upon Oral Examination of
THERESA M. SOWINSKI

Taken at: 2101 Fourth Avenue, Fourth Floor
Seattle, WA 98121

Date Taken: August 30, 2006

Reported By: Mark E. King, RPR, CCR #2812

Treece, Shirley & Brodie Court Reporters
1415 North 200th Street, Suite B-7
Shoreline, WA 98133-3219
(206) 624-6604

APPEARANCES

FOR THE BAR: MARSHA ANN MATSUMOTO
 Disciplinary Counsel
 2101 Fourth Avenue
 Fourth Floor
 Seattle, WA 98121-2330

FOR RESPONDENT: (No Appearance.)

I N D E X

WITNESS

THERESA M. SOWINSKI

EXHIBITS

NO.	DESCRIPTION	PAGE
1	Subpoena Duces Tecum	004
2	Declaration of Service of Subpoena	004

1 Seattle, Washington, Wednesday, August 30, 2006

2 10:13 a.m.

3 -- o00o --

4 (Subpoena and Declaration of Service
5 marked as Deposition Exhibits No. 1 and 2).

6 MS. MATSUMOTO: Okay. We are on the
7 record at 10:15 a.m. on August 30, 2006. Our court
8 reporter is Mark King and I'm Marsha Matsumoto,
9 Disciplinary Counsel for the Washington State Bar
10 Association.

11 This was to be the deposition of Theresa
12 Sowinski, Bar No. 32549. The deposition was scheduled
13 to start at 9:30 this morning at the Bar Association
14 offices.

15 On August 17, 2006 the Association issued
16 a subpoena to Ms. Sowinski pursuant to Rule for
17 Enforcement of Lawyer Conduct 5.5 and 5.3(f) based on
18 Ms. Sowinski's failure to cooperate in two grievance
19 investigations; the grievance filed by Monte Junker,
20 File No. 06-01056, and the grievance filed by Robin
21 Knutson, File No. 06-00910.

22 For the record, Exhibit No. 1 is a copy
23 of the August 17, 2006 letter to Ms. Sowinski, along
24 with a copy of the subpoena for today's deposition, and
25 Exhibit No. 2 is the declaration of service of the

1 subpoena indicating that Ms. Sowinski was personally
2 served with a subpoena on August 18th, 2006 by
3 Investigator Scott O'Neal of the Bar Association's
4 office.

5 At 9:50 this morning I called
6 Ms. Sowinski's cell number, (206)383-5179. I did not
7 receive an answer and her voice mail was unable to take
8 messages. I also called her home number, (360)881-0089
9 and left a message for her there, reminding her that her
10 deposition was this morning and asking her to call.

11 So far we haven't received any contact
12 from Ms. Sowinski and she hasn't appeared for her
13 deposition.

14 - - - - -

15 (The proceedings concluded at 10:15 a.m.)

16 (Two exhibits were marked.)

17 - - - - -

C E R T I F I C A T E

STATE OF WASHINGTON)

) SS.

COUNTY OF KING)

I, the undersigned Notary Public in and for the State of Washington, do hereby certify;

That the annexed and foregoing proceedings herein were taken stenographically before me and reduced to typewriting under my direction;

I further certify that I am not a party to said action, or a relative or employee of any such attorney or counsel, and that I am not financially interested in the said action or the outcome thereof;

I further certify that the deposition, as transcribed, is a full, true and correct transcript of the testimony, including questions and answers, and all objections, motions, and exceptions of counsel made and taken at the time of the foregoing examination;

I further certify that I am sealing the deposition in an envelope with the title of the above cause thereon, and promptly delivering the same to the ordering Attorney or appropriate authority;

I further advise you that as a matter of firm policy the Stenographic notes of this transcript will be electronically retained for three years from the date

appearing on this Certificate unless notice is received otherwise from any party or counsel hereto on or before said date;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 6th day of September, 2006.

Notary Public in and for the State
of Washington, residing at Bellevue.
My Commission expires March 16, 2009
CSR License No. 2182

EXHIBIT J



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Marsha Matsumoto
Senior Disciplinary Counsel

direct line: 206-727-8233
fax: 206-727-8325

August 31, 2006

Via First Class and Certified (7003 2260 0001 6609 7173) Mail

Theresa M. Sowinski
Attorney at Law
20948 President Pt Rd NE
Kingston, WA 98346

Re: Grievances against lawyer Theresa M. Sowinski
WSBA File Nos. 06-00910, 06-01056

Dear Ms. Sowinski:

On August 18, 2006, you were personally served with a Subpoena Duces Tecum requiring you to appear for your deposition on August 30, 2006 at 9:30 a.m. at the Washington State Bar Association office. The deposition was scheduled because of your failure to cooperate in two grievance investigations. You did not contact me after being served with the Subpoena and you did not appear for your deposition. I left two telephone messages for you on August 30, 2006; however, you have not returned my calls.

As you have been informed, we may treat your failure to cooperate and appear as a violation of disciplinary rules, we may refer these grievances to a Review Committee with a recommendation of a public disciplinary hearing without your response, and/or we may petition the Washington Supreme Court for your immediate interim suspension from the practice of law.

Please contact me immediately to explain why you did not appear on August 30, 2006 and to discuss the status of the above matters.

Sincerely,

A handwritten signature in cursive script that reads "Marsha Matsumoto".

Marsha Matsumoto
Senior Disciplinary Counsel



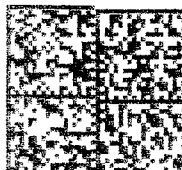
Washington State Bar
2101 Fourth Avenue, Suite 400
Seattle, WA 98121-2330

CERTIFIED MAIL™



7003 2260 0050

7777



**RETURN RECEIPT
REQUESTED**

9/1 cjs

THERESA M. SOWINSKI
ATTORNEY AT LAW
20948 PRESIDENT PT RD NE
KINGSTON, WA 98346

1st NOTICE
2nd NOTICE
RETURNED
X
Delivered to Addressee
Unclaimed
Returned to Sender

38346+9176-981212330

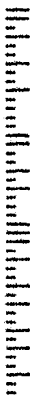


EXHIBIT K

GRIEVANCE AGAINST A LAWYER



Return your completed form to:

Office of Disciplinary Counsel
Washington State Bar Association
2101 Fourth Ave – Suite 400
Seattle, WA 98121-2330

GENERAL INSTRUCTIONS

- Read our information sheet *Lawyer Discipline in Washington* before you complete this form, particularly the section about waiving confidentiality.
- Type or write legibly but do not use the back of any page.
- Do not fax your form to us or send your form to us via the Internet.
- If you have a disability or need assistance with filing a grievance, call us at (206) 727-8207. We will take reasonable steps to accommodate you.

INFORMATION ABOUT YOU

Harrison, Kathryn
Last Name, First Name

1724 W. Marine View Dr #920
Address

Everett WA 98201
City, State, and Zip Code

253-223-8955
Telephone Number (Day/Evening)

425-232-2101
Alternate address/phone where we can reach you

INFORMATION ABOUT THE LAWYER

Sawinski, Theresa
Last Name, First Name

51 W. Dayton, Suite 102
Address

Edmonds, WA 98020
City, State, and Zip Code

425-778-8306
Telephone Number

INFORMATION ABOUT YOUR GRIEVANCE

Describe your relationship to the lawyer who is the subject of your grievance by checking the box that best describes you:

- ☐ Client
☒ Former Client
☐ Opposing Party

- ☐ Opposing Counsel
☐ Judicial
☐ Other: _____

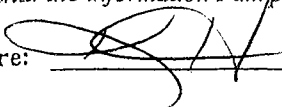
Is there a court case related to your grievance? _____ YES X _____ NO

If yes, what is the case name and file number, and who is the lawyer representing you?

Explain your grievance in your own words. Give all important dates, times, places, and court file numbers. Attach additional pages, if necessary. Attach copies (not your originals) of any relevant documents.

Quality Home Professionals, LLC (my company) hired Theresa Sawinski of Equity Law ~~Project~~^{Group} to represent on a case that was being brought against us. She took a deposit of \$1600⁰⁰ for a retainer on 4/4/06. Theresa was suppose to answer to a letter from another lawyer representing the party that was filing a case against Quality Home Professionals. No paperwork was sent to the other lawyers. ~~Now~~ On June 13 my husband and I were served with court papers. I called my lawyer Theresa and there was no way of getting a hold of her. The phone at the office was ~~phone~~ full on the answering machine. No one was at the office. I tried for over a week. No message were left @ the office but left messages on her cell phone. I had to hire another lawyer and did on June 27. He suggested calling WSBA and I did on June 28. Theresa called me on June 29 ~~after~~ and let me know I called WSBA. I said I did and her services were not needed. I sent Theresa a Termination letter with ^{AFFIRMATION} a return on my retainer.

I affirm that the information I am providing is true and accurate to the best of my knowledge.

Signature: 

Date: July 28, 06

RECEIPT

DATE 4/4/06 No. 561470

FROM Quality Home Professionals LLC/DBA QHP 10/1/20'00

FOR RENT Legal Fees 05/100

FOR check NO 2260 QHP 216

☐ CASH ☒ CHECK ☐ MONEY ORDER

BY [Signature] per [Signature] 4/4/06

ACCT.	
PAID	
DUE	

Phone: (425) 778-8306
 Fax: (425) 774-8360
 Cell: (206) 383-5179

Edmonds Bay Building
 51 West Dayton, Suite 102
 Edmonds, Washington 980

TRACT FOR PROFESSIONAL SERVICES

EQUITY LAW GROUP, PLLC., ("Attorney"), Quality Home Professionals, LLC ("Client") hereby agree as follows:

KH
4/4/06

[Signature]



CONTRACT FOR PROFESSIONAL SERVICES

EQUITY LAW GROUP, PLLC., ("Attorney"), Quality Home Professionals, LLC ("Client") hereby agree as follows:

KH
4/14/06
[Signature]

1. Client employs the law firm of EQUITY LAW GROUP, PLLC including attorney Theresa M. Sowinski. This agreement covers representation regarding civil rights matter, including but not limited too: initial stages of investigation, research, and negotiations. In addition, this agreement covers representation should civil litigation ensue.
2. In the event that a trial where commence in this case, Client and Attorney will decide whether to continue this professional relationship through that stage.
3. Attorney will use her best efforts and judgment in representing Client. However, Attorney make no guarantee regarding the outcome of the case and all statements made regarding the outcome of the case and all statements made regarding the likelihood of any particular result are expressions of opinion only, and are made based upon the Attorney's best judgment and experience.
4. As a condition of representation and working with Client, Client agrees to pay Attorney a retainer in the amount of \$1,000.00, which shall be considered **non-refundable and earned upon receipt**. This agreement shall become effective when Attorneys receive this **non-refundable** retainer.
5. Client understands that the total attorney fees incurred may well exceed \$1,000.00, and that there is no cap on attorneys fees to be charged.
6. Future services will be billed against this retainer at the rate of \$190.00 per hour for the services of attorney Theresa M. Sowinski. Client understands and agrees that the minimum fee will be \$1000.00, and that if there is a refund in this matter (see paragraph 10 below), it will be only if the case is completed and there are funds remaining in trust beyond the first, **non-refundable** retainer of \$1000.00.

Client Copy

EQUITY LAW GROUP

7. Attorney promises to keep accurate records of costs. On a monthly basis, Attorney will submit to Client an itemized statement showing services rendered and costs incurred. Client agrees to compensate Attorney for all costs advanced by Attorney. Costs include filing fees, witness (including expert witness) fees, investigative expenses, photocopying, long distance phone calls, postage, and all other reasonable and necessary expenses.

8. Client further agrees that if and when the initial payment of \$1,000.00 is exhausted, he will promptly (i.e., within 30 days) pay all outstanding balances as they come due. Client further agrees that if such invoices are not timely paid, Attorney **may** withdraw from further representation of Client, at her discretion.

9. After the conclusion of the Client's case(s), Attorney will submit a final accounting for the time and expenses. Should monies remain in the trust account that were not expended (beyond the initial, **nonrefundable** retainer of \$1,000.00); they then shall be refunded to Client at that time.

10. This Contract for Professional Services represents the entire agreement between Client and Attorney.

DATED this 4th day of April, 2006. DATED this 4th day of April, 2006.

EQUITY LAW GROUP, PLLC

CLIENT

By [Signature]
Theresa M. Sowinski
WSBA No. 32549

By [Signature] KH
Kitty Harrison
Quality Home Professionals, cc Registered
Member Agent
4/4/06 [Signature]

Client.com
EQUITY LAW GROUP



Quality Home Professionals, LLC
Providing Quality Service

June 28, 2006

Date: _____

Siding * Stone * Tiling * Painting
Kitchens * Bathrooms

1724 West Marine View Drive
PMB 920
Everett, WA 98201

Everett: 425-232-2101
Tacoma: 253-223-8955
Fax: 425-259-0642

Equity Law Group
Edmonds bay Building
51 West Dayton, Suite 102
Edmonds, WA 98020

Dear Ms. Sowinski;

Please accept this letter as a termination notice with the Equity Law Group. Please send my \$1,000.00 retainer to the above address.

Sincerely,

Kitty Harrison

Termination of
Equity Law Group

EXHIBIT L



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Acknowledgment That We Have Received A Grievance

Date: 8/15/2006 WSBA File: 06-01259

To the Grievant:

We received your grievance against a lawyer and opened a file with the file number indicated above.

We are requesting a written response from the lawyer. You generally have a right to receive a copy of any response submitted by the lawyer. After we review the lawyer's response, if it appears that the conduct you describe is not within our jurisdiction, does not violate the Supreme Court's Rules of Professional Conduct (RPC), or does not warrant further investigation, we will write you a letter to tell you that. If we begin an investigation of your grievance, we will give you our investigator's name and telephone number. If, as a result of an investigation and formal proceeding, the lawyer is found to have violated the RPC, either the Washington State Bar Association Disciplinary Board or the Supreme Court may sanction the lawyer.

Our authority and resources are limited. We are not a substitute for protecting your legal rights. We do not and cannot represent you in legal proceedings. You should consider contacting another lawyer to represent you in any ongoing civil or criminal case or to determine whether other remedies may be available to you. If you believe criminal laws have been broken, you should contact your local police department or prosecuting attorney. There are time deadlines for both civil and criminal proceedings, so you should not wait to take other action.


Please read the enclosed form for additional information about the grievance process. Our office handles a large number of files. We urge you to communicate with us only in writing until we complete our initial review of your grievance. You should hear from us again within four weeks.

Request for Lawyer Response

To the Lawyer:

Although we have reached no conclusions on the merits of the grievance that has been filed against you, we are requesting your preliminary written response within **two (2) weeks** of the date of this letter. Please provide any information you believe is relevant. You must personally assure that all records, files, and accounts related to the grievance are retained until you receive written authorization from us, or until this matter is concluded and all possible appeal periods have expired. Absent special circumstances, and unless you provide us with reasons to do otherwise, we will forward a copy of your response to the grievant. If the grievant is not your client, please clearly identify any information that you believe we should withhold. The grievance process is governed by the Rules for Enforcement of Lawyer Conduct (ELC). ELC 5.3(e), a copy of which is enclosed with related rules, sets out the obligations of a respondent lawyer, including the duty to promptly file a written response. If you believe further action should be deferred because of pending litigation, please so indicate and explain the basis for your request under ELC 5.3(c)

Sincerely,


Felice P. Congalton
Senior Disciplinary Counsel

Enclosures: Lawyer Discipline in Washington

Original: **Grievant: Kathryn Harrison**
cc: **Lawyer: Theresa M. Sowinski**
 (with enclosure and copy of grievance)

EXHIBIT M



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Felice P. Congalton
Senior Disciplinary Counsel

September 19, 2006

Theresa M. Sowinski
Equity Law Group LLC
20948 President Point Rd NE
Kingston, WA 98346-9176

Re: WSBA File: 06-01259
Grievance filed by Kathryn Harrison

Dear Ms. Sowinski:

We asked you to provide a written response to the above referenced grievance. To the best of our knowledge, your response, which is required by Rule 5.3(e) of the Rules for Enforcement of Lawyer Conduct (ELC), has not been received.

Under ELC 5.3(e), you must file a written response to the allegations of this grievance within ten days after service of this letter, i.e., on or before **October 2, 2006**. If we do not receive your response within the ten-day period, we will subpoena you for a deposition. If we must serve a subpoena, you will be liable for the costs of the deposition, including service of process, and attorney fees of \$500. ELC 5.3(f)(2). You should be aware that failing to respond is, in itself, grounds for discipline and may subject you to interim suspension under ELC 7.2(a)(3).

Sincerely,

A handwritten signature in cursive script, appearing to read "Felice P. Congalton".

Felice P. Congalton
Senior Disciplinary Counsel

cc: Kathryn Harrison

CERTIFICATE OF SERVICE

I CERTIFY THAT I CAUSED THE FOREGOING LETTER TO BE MAILED TO THE LAWYER NAMED ABOVE AT Equity Law Group LLC, 20948 President Point Rd NE, Kingston, WA 98346-9176, CERTIFIED (RETURN RECEIPT NO. 7003 2260 0001 6609 7487) MAIL, POSTAGE PREPAID, ON SEPTEMBER 19, 2006.

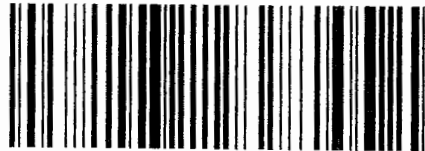
A handwritten signature in cursive script, appearing to read "Felice P. Congalton".

FELICE P. CONGALTON
SENIOR DISCIPLINARY COUNSEL

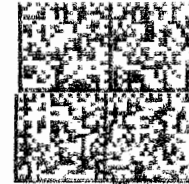


Washington State Bar Assn
2101 Fourth Avenue, Suite 400
Seattle, WA 98121-2330

CERTIFIED MAIL™



7003 2260 0001 6609 7487



OCT 10 2015
7:00 PM

THERESA M SOWINSKI
EQUITY LAW GROUP LLC
20948 PRESIDENT POINT RD NE
KINGSTON WA 98346-9176

☐ Undeliverable
☐ Addressed
☐ Moved, Left No Answer
☒ Delivered
☐ Returned
☐ Other
☐ Such as
☐ Other
CONFIDENTIAL

38346+9176-48 H033

